

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re	§	
Tony DeRosa-Grund	§	
	§	CASE NO. 09-33264-H4-7
Debtor	§	
	§	

**MOTION TO REOPEN
CHAPTER 7 CASE PURSUANT TO 11 U.S.C. §350**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

COMES NOW, Tony DeRosa-Grund, the Debtor, and files this *Motion To Reopen Chapter 7 Case*, and respectfully shows the Court as follows:

1. On May 7, 2009, an involuntary petition was filed against the Debtor.
2. An Order For Relief was entered on June 8, 2009.
3. Mr. David Askanase was appointed Chapter 7 trustee, and administered assets of the estate.
4. The trustee's Amended Final Report was filed on October 18, 2013, and a Final Decree was entered on May 8, 2014.

5. The Debtor requests the Court to now reopen his bankruptcy case to so that he may amend his Schedule B to disclose an additional asset that is property of his estate.
6. The additional asset is a copyright to a motion picture treatment that was written prior to his petition date, and was inadvertently omitted from his schedules.
7. Debtor has become aware that the unregistered copyright is in fact an asset of his estate, and disclosure is necessary.
8. Debtor also filed a claim (lawsuit) in the Southern District of Texas for infringement of the copyright, with such lawsuit also an asset of his estate.
9. The Debtor believes that the previously undisclosed assets may have significant value for the estate and his creditors.
10. Upon reopening, the Debtor requests that a chapter 7 trustee be immediately appointed.
11. Debtor requests the Court to exercise its broad discretion¹ to reopen this bankruptcy case for cause, including to administer remaining assets of the estate and for such other necessary matters the Court may deem appropriate

WHEREFORE, Tony DeRosa-Grund requests this Court to reopen the above-entitled case and to grant him such other and further relief, at law or in equity, to which he may be justly entitled.

Dated: September 23, 2015

¹ *Citizens Bank & Trust Co., v. Case (In re Case)*, 937 F.2d 1014, 1018 (5th Cir. 1991)(citations omitted)(“[O]ther cause” as used in section 350(b) is a broad term which gives the bankruptcy court discretion to reopen based upon the circumstances of the individual case which is consistent with the equitable nature of bankruptcy proceedings.)

Respectfully submitted,

By: /s/ Johnie Patterson
Johnie Patterson
SBN 15601700

OF COUNSEL:
WALKER & PATTERSON, P.C.
P.O. Box 61301
Houston, TX 77208
713.956.5577
713.956.5570 (fax)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been sent by first class mail or by electronic transmission upon all parties entitled to notice as evidenced on the attached service list on September 23, 2015.

/s/ Johnie Patterson
Johnie Patterson